

ABC NIGHTLINE
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BELL: Good evening. I'm Steve Bell, and this is Nightline. The alleged CIA mining of Nicaraguan harbors, is it international terrorism of collective security, and were members of Congress informed in advance? We'll talk live tonight with U.S. Ambassador to the U.N. Jean Kirkpatrick, also with two senators on opposite sides of the issue, Patrick Leahy of Vermont and John East of North Carolina. And we'll have a report from Nicaragua.

ANNOUNCER: This is ABC News Nightline, substituting for Ted Koppel and reporting from Washington, Steve Bell.

BELL: The House Foreign Affairs Committee joined the Senate today in condemning alleged CIA involvement of the mining of Nicaraguan harbors. Specifically, it's a non-binding resolution to deny funds for the mining operation. However, House leaders say the implications are far greater. It could be the end of all covert aid for anti-Nicaraguan rebels. Joining us tonight from New York to discuss this growing controversy the U.S. Ambassador to the United Nations Jean Kirkpatrick. Madam Ambassador, so far the government has been unwilling to say specifically whether or not we are involved. Can you elaborate on that tonight? JEANE KIRKPATRICK (U.S. Ambassador to the U.N.): No.

BELL: Then let us take it hypothetically if we could please. Assistant Secretary, or Deputy Secretary of State Kenneth Dam said this afternoon, when given a hypothetical question, that the U.S. in fact would have a right to mine harbors in the fashion which is alleged because, he said, it would be an act of collective security. Could you explain what this means? KIRKPATRICK: Well, certainly. Actually, under the United Nations charter and under international law generally, nations have a right to engage in collective security or individual security, acts that respond to armed attacks by other nations. Now the point about this all is that Nicaragua has been engaged for a long time, years now, in armed attacks, determined, consistent, continuing armed attacks against her neighbors, against El Salvador particularly, but also her other neighbors. That's a finding that is very well understood. And those other nations simply have the right to defend themselves and to ask others to help them defend themselves. That's the point.

BELL: Joining us live now in our Washington bureau, Democratic Senator Patrick Leahy, of Vermont, a member of the Intelligence Committee. Senator Leahy voted in favor of the resolution condemning the use of U.S. funds for the mining of Nicaraguan waters. And joinings us from the Senate gallery, Republican Senator John East, of North Carolina. Senator East was one of only 12 senators who supported the administration and voted against that resolution. Senator Leahy, let's try to put one thing on the record. Were the appropriate members of the Congress informed that the U.S. was supporting and in fact involved in the mining of the harbors? SEN. PATRICK LEAHY (D-Vt.): There still seems to be a great deal of dispute about that. I felt that I'd been adequately informed about what was going on prior to the time of the votes last week, when this matter was first debated in the Senate. I thought at that time that most other senators had. I find now that a lot of senators in both parties, including many in leadership positions, felt that they had not been, had not been informed. The administration argues that back and forth. But I'm, I'm satisfied that a, a large number of the senators, both parties, had not been adequately informed.

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BELL: Senator East, do we have it given here that we accept the fact that even though they won't say so publicly, the U.S. through the CIA has been involved to the degree reported? SEN. JOHN EAST (R-N.C.): Well, I presume so. But I think covert operations by definition can not be micromanaged from the floor of the United States Congress. And the chief executive, the commander in chief, the president, the Executive branch is ultimately responsible for the conduct of American foreign policy. I accept that as a matter of separation of power. And I accept the policy they are pursuing here, and hence, I voted as I did in support of the administration.

BELL: Senator Leahy, the administration, through Mr. Dam, this afternoon before the Congress, said that hypothetically the U.S. would have the right to do this sort of this as an act of collective security. Your response. LEAHY: Well, I, you know, we have the right to take just about any kind of action as a private collective security. I find it hard to understand, though, exactly what it is we're securing against. I don't know if Secretary Dam is suggesting that we face the possibility of Sandinistas marching across the borders of the United States, up Pennsylvania Avenue and so forth. That's really not what is, not what is going on. It is pure and simple, as Senator Goldwater called it, an act of war. Unfortunately, it's worse than that. It's turned out to be a real act of stupidity. We ended up getting all our allies, our major allies around the world angry at us, accomplished virtually nothing and ended up looking stupid in the balance.

BELL: Senator East, your response? EAST: No, we don't look stupid. And as far as our allies go, they frequently do what is in their national self-interest. And I think the ambassador has very accurately and concisely noted it is in the national self-interest of the United States to keep Central America and our allies there from being forced under the Marxist, ah, Leninist regime that is coming out of Nicaragua, which in turn is aided and ebeded by Cuba and the Soviet Union. And I do not think this country our allies in Central America can tolerate allowing the Soviet Union and Cuba and their proxies in that area, in this case Nicaragua, to take over that region.

BELL: But, Senator.... BELL: It's against the best interest of the countries in that area. And it certainly is contrary to the well-being and security of the United States. LEAHY: You know.... EAST: And I think the president is right in taking affirmative action. LEAHY: I think that we have to figure out what our....

BELL: Go ahead, Senator Leahy. LEAHY: We have to figure out what our affirmative action is. The president, I believe at the State of the Union message, made a suggestion that there'd been at one point talk of Soviet missile bases going into Nicaragua. Well, now there is a case where our interests are at hand. And, obviously, the United States would have every right to move in there. Unfortunately, or fortunately, I guess, it turned out that there had been no plans. The question is do we really, do we really feel that this furthers the best interest of the United States to be involved in this kind of activity. It's what, what happens is we try to substitute a covert action for foreign policy. There has never been a time in our history when that's really worked, and it's not working now.

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BELL: Senator East, may I bring you specifically back to the, to the mining issue? EAST: Yes.

BELL: Doesn't there seem to be a sense of Congress that there's something very different between just simply supporting covert operations by anti-Sandinista rebels and mining harbor areas where allied ships, ships of all nations, Soviet ships are, are coming in, ah, and in effect spreading the violence? EAST: Well, this is Vietnam de javu. I felt we should have, we should have mined the fort of Haiphong and prevented the material from coming in there that was then used to go down and take over all of Southeast Asia, which is now under Soviet domination. And that was a fatal mistake. And we're seeing the same scenario going on in Central America today. My point would be Nicaragua, as the ambassador has pointed out, has a military capability all out of proportion to what she needs to defend herself. She is the conduit through with Cuba and the Soviet Union is exporting their form of totalitarianism into Central America. And if it means we must mine harbors to prevent that, then so be it. And I would warn our allies and others to stay out. And, obviously, from your earlier report, it is working, and I'm glad to see that it is.

BELL: But.... EAST: And I hope we stay the course.

BELL: But senators, both of you, Senator Leahy, sense of the Congress, is there now going to be an end to all covert aid in Nicaragua? Is it over? EAST: Well... LEAHY: Well, I think that the, I think the Congress, in a very strong bipartisan move, or at least in the Senate yesterday, ah, stated that this kind of activity is going to have to stop. It really makes no sense to kind of let loose, as I said, a covert action in place of a foreign policy and especially one that not only does not accomplish what it was set out to do but ends up making the United States look silly in the, in the balance.

BELL: If you had to.... LEAHY: I suspect the Congress would be opposed to that.

BELL: If you had to predict, is the Congress going to approve anymore covert aid for anti-Sandinista guerrillas? LEAHY: I think that the Congress, if it does, is going to put great strings on it. Of course, the irony of this, as we talk about covert aid, something that gets reported daily, ah, daily in the press, again to add to the, ah, almost ridiculous nature of it, whatever aid is sent down there, if, if, any is, it's going to be far, far more restricted than in the past. I think the Congress feels that they were sold a bill of goods, had the whole thing kind of blow up in our face. And I don't think the Congress is going to allow that kind of a blank check in the future.

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